

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the final Office Action of January 24, 2005 is respectfully requested.

In the final Office Action of January 24, 2005, the Examiner rejected pending claims 15-34 as being anticipated by the Lenz reference (USP 6,029,196). However, the pending claims (in particular, independent claims 15, 21, 27, and 31) have now been amended as indicated above so as to clarify the distinctions between the present invention and the prior art. For the reasons discussed below, it is respectfully submitted that amended claims are clearly patentable over the prior art of record.

In response to the final Office Action, a Request for Reconsideration was filed on April 25, 2005, including arguments traversing the rejections. In the Advisory Action of June 2, 2005, the Examiner asserted that the Applicants appeared to be arguing features that were not recited in the claims. As indicated above, however, the claims have now been amended so as to clarify the present invention, and each of the amended claims now clearly recites:

- (1) executing a stored application so as to *generate* data;
- (2) storing the data generated due to execution of the application;
- (3) making a retrieval request to a server to retrieve an instruction file, in which the instruction file includes transmission information specifying data for specifying transmission data to be transmitted to the server;
- (4) determining, from among the stored *generated* data, the transmission data that is to be transmitted to the server based on the transmission information specifying data included in the instruction file retrieved from the server; and
- (5) transmitting the transmission data to the server.

In other words, and instruction file retrieved from a server includes transmission information specifying data for specifying transmission data to be transmitted to the server, and the transmission data is determined from among the data *generated* by an application.

The Lenz reference discloses an automatic client configuration system, including a client 102 and server 103. In the final Office Action of January 24, 2005, the Examiner asserted that

the client includes a browser for executing application programs, such as e-mail. The Examiner did not explain, however, how the Lenz reference discloses executing an application so as to *generate data*.

The Examiner also asserted that the Lenz reference teaches that the client 102 can retrieve an instruction file 106 from the server 103, and that the instruction file includes specifying data for specifying the types of data (such as a configured e-mail address) to be sent to the server. However, the Examiner did not explain how the Lenz reference teaches transmitting transmission data to the server, in which the transmission data is determined from among the data *generated* by execution of the application.

As noted in the Remarks submitted on April 25, 2005, the ordinary meaning of the term “generate” is “to bring into existence” (see *Webster’s Ninth Collegiate Dictionary*). Thus, the transmission data to be transmitted back to the server based on the transmission information specifying data retrieved from the server must be determined from among the data “brought into existence” due to execution of the application. In contrast, column 3, lines 1-12 of Lenz reference explains that the server 103 sends a configuration file 106 to a client (i.e., a communication terminal) 102, and that the “file contains commands which tell the client 102 to perform certain actions such as setting certain preferences and configuration items” as required. In other words, the preferences and configuration items are selected from among *existing* data presumably pre-programmed into the client 102, and do not correspond to *generated* data. Thus, the configuration file of the Lenz reference does not include transmission information specifying data for specifying transmission data to be transmitted to the server, in which the transmission data is determined from among the data “brought into existence” (i.e., generated) due to execution of an application. This point was apparently acknowledged by the Examiner during a telephone conversation on June 17, 2005, in which the Examiner noted that the Lenz reference merely discloses passing on data (i.e., information concerning e-mail addresses) that already exists.

In view of the above, it is submitted that the Lenz reference does not disclose an invention in which a retrieval request is made to a server to retrieve an instruction file, in which

the instruction file includes transmission information specifying data for specifying transmission data to be transmitted to the server, and in which the transmission data is determined from among data *generated* due to execution of an application. Therefore, it is respectfully submitted that the Lenz reference does not anticipate amended independent claims 15, 21, 27, and 31. Furthermore, because the Lenz reference does not even provide any suggestion of the features discussed above, it is submitted that one of ordinary skill in the art would not be motivated by the Lenz reference to obtain the invention recited in amended independent claims 15, 21, 27, and 21. Accordingly, it is respectfully submitted that amended claims 15-34 are clearly patentable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

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